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SIPDIS

STATE FOR CA/FPP AND ASYLUM OFFICE

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TAGS: [CVIS](#) [KFRD](#) [ASEC](#) [BU](#)

SUBJECT: Bulgarians Making False Asylum Claims, Part II

Ref: Sofia 1868

1. Summary: As noted reftel, we are seeing growing numbers of following-to-join (Visas 92) Immigrant Visa cases where it is obvious the original successful asylum seekers based their claims on fraud, lies, forged documents and false pretenses. On November 14 alone we received five such cases. We are still in the process of investigating these, but we report on other worrisome examples below. We will continue to provide background on Visas 92 cases that fit the identified fraud pattern, and we are grateful to USCIS officials and consular officers for their interest in and responses to our first report. We look forward to fruitful future cooperation on this front. End Summary.

2. Evidence abounds here that creating phony documents to bolster asylum claims made by Bulgarians in the U.S. is now a booming industry. As some West European countries (Belgium, for instance) have decided to deny political asylum to Bulgarian citizens in light of Bulgaria's expected accession to the European Union, and others (like Norway) simply deport in summary fashion the hundreds of Bulgarians who apply for asylum, the United States has become the main target for prospective Bulgarian asylum seekers. Word is out that if they go to the U.S. and apply for asylum claiming they are Roma, they will easily be granted legal status. We have heard of immigration attorneys in the U.S. who explicitly give such advice to their clients.

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ATTORNEY TELLS BULGARIAN CITIZEN TO CLAIM HE IS ROMA  
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3. A few months ago we interviewed Veselin Dragomirov Dimitranov (DPOB 21 MAR 1961, Bulgaria, A No. A75 709 982) in connection with his application for a CR-1 immigrant visa as husband of an American citizen. In the course of the interview we learned that he had applied for political asylum in the U.S. as a Macedonian. He was denied and ordered removed. He told us he had been advised by his attorney to claim Roma ethnicity in order to gain asylum, because that was easy and claiming asylum as a Macedonian would likely not work. Dimitranov explained he found such a lie exceedingly distasteful -- it was simply "beyond him" -- and preferred instead to file as a Macedonian, his father's nationality. He signed the following statement (grammar not changed): "Since October 1999 we have discussed with my lawyer Mr. Peter Ashman do I have a good reason to stay legally in U.S. He told me there is an easy way to stay in U.S. if I want to declare that I am a gypsy from Bulgaria." In addition to his own statement that he is not Roma, Dimitranov's appearance and speech would lead any even semi-informed observer to that conclusion. Yet he very well might have obtained asylum had he followed his lawyer's advice. There are no doubt increasing numbers of Bulgarians here and (illegally) stateside who have come to learn the "Roma card" can make a winning hand for a green card, and we know there are unscrupulous attorneys encouraging them to play it.

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FATHER AND SON DISAGREE ON POLITICS  
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4. Milka Pavlevska applied for her Visa 92 status here in November, 2004. The I-730 Petition was filed by her husband Slavtcho Tsvetanov Pavlevski (DPOB 27 JAN 1949, Bulgaria, A No. A95 306 523). Pavlevski had been granted political asylum based on his supposedly well-grounded fear of persecution as an ethnic Roma in Bulgaria. On his asylum application Form I-589 he stated: "I and all my family are ethnic Roma from the Kardarashi group. I am a member of the Roma organization United Roma. My son is still an active member of the same organization." His statement contains a long and heartrending history of arrests and abuse. In the course of the follow-to-join interview, though, Mrs. Pavlevska categorically denied that she is Roma. We got in touch with Pavlevski's son following the interview with Mrs. Pavlevska, again to investigate the true character of the petitioner's asylum claim. Unsurprisingly, fundamental discrepancies popped up which revealed the petitioner's patent phoniness. Pavlevski's son claimed that he and his father were members of Euroroma -- a different Roma political party than the one shown on the asylum

application. However, the son did not know any members of this organization. He stated that he is not Roma, does not speak the Roma language, and has never had any problems at school or at his job. He told the officer that criminals had once tried to get his family to pay protection money, but this all-too-common petty extortion had nothing to do with politics or ethnicity.

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PERSECUTED BLUE-EYED ROMA  
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15. Bulgarians of Roma descent are usually readily identified by their dark complexion and specific accent. However, when a blue-eyed Caucasian person who does not speak the Roma language and has no knowledge of Roma culture or customs applies for Visa 92 status insisting she and members of her family have been persecuted because of their Roma ethnicity, an officer can be forgiven for becoming skeptical. Such was the case when Sofia Dimitrova Morfova and her two children were interviewed in connection with their Visa 92 application. Her husband Delyan Vladislavov Morfov (DPOB 05 OCT 1974, Bulgaria, A No. A96-219-164) had been one of the "Romans" granted political asylum in the U.S. Mrs. Morfova signed a sworn statement utterly refuting the asylum claims of her husband.

16. Morfov had sought political asylum based on race, political opinion, membership in a particular group, and the Anti-Torture Convention. He stated that he was a member of a Roma Organization which advocates for equal treatment of Romas in Bulgaria. His wife, while explaining -- more than a little surprisingly, considering the alleged circumstances -- that she is not aware of her husband's political leanings, said her husband never spoke of any mistreatment and never bore any visible signs of physical abuse. Morfov had written on his asylum application: "My family and I have been persecuted on account of our Roma ethnicity by Bulgarian police, citizens and members of Skin Head Organizations. Throughout my life, my family and I have been the victims of persecution at the hands of members of Bulgarian society." His wife, though, told us that her husband's "mother, father and brother Yavor have never been beaten up or arrested by the police and they have never been maltreated or persecuted by other persons or by skinhead groups. Neither I nor our children have ever been beaten up, arrested or detained by the police, nor have we been beaten up or persecuted by other persons or organizations."

17. As proof of persecution, Morfov had presented a medical certificate issued on October 18, 2002, shortly before he departed Bulgaria to the United States. The medical certificate says he had been severely beaten in a discotheque, suffering injuries to the thorax, abdomen and head. His wife had no recollection of this alleged harrowing incident. We checked with the director of the hospital which supposedly issued the medical certificate, and he told us there was no record of Morfov ever having been treated there. The ID number of the certificate Morfov presented is in fact associated with the record of a different patient.

18. Morfov's lack of credibility is aptly demonstrated by a quick review of his several previous NIV applications (all refusals). He declared in these, variously, that he was both the manager of a company "Morfi 3" in the city of Burgas and the Marketing Manager of Cafe Club Havana, also in Burgas. In his asylum declarations he also claimed he was the Cafe Club Havana Manager/Owner and that between 9/94 and 1/02 he worked in construction or as a janitor. His wife stated that since the date of their marriage (11/21/98) until his departure to the U.S. her husband worked as a bartender at the Club Havana Caf, and that he has never had a company registered in his name nor was he the owner of a company. In the course of one NIV interview (on 12/29/02) Morfov had tried to convince the consular officer that he was going to the U.S. to participate in a chess tournament. His wife revealed that he is not a chess player and has never participated in any chess tournaments.

19. Morfov swore on his I-589 that he resided in the Roma ghetto of the village of Rosen. A check by post's Fraud Prevention Unit with the local authorities confirmed our suspicion that Morfov had in fact never lived in that village, and was unknown there. Mrs. Morfova does not speak the Roma language, though she said her husband speaks some Roma. While it is possible that Mr. Morfov is acquainted with several stock Roma phrases, a follow-on interview in Roma would almost certainly demonstrate that he does not actually know the language. His parents are supposedly Roma, but when we called his father it quickly became clear that the father does not speak or understand Roma.

¶10. Petya Vasileva Kaneva, nee Baneva (DPOB 20 MAY 1970, Bulgarira, Alien No. A97 586 545), was granted political asylum on the basis of her claim to be a gypsy of the "Pomak" persuasion (Bulgarian Muslim). She alleged that she was discriminated against and humiliated by Bulgarian society. In her written statement for her asylum case, she said that her father had belonged to a minority of Muslim Bulgarian gypsies and had died before she was born. She explained that she grew up with her mother's family, also Muslim Roma, in the village of Konare, and had a child. The child's father, she claimed, had deserted her, and she had to move to a different town because of the constant discrimination and ostracizing in her mother's village. She said she was raped and beaten by four policemen in her new village and hospitalized for days as a result.

¶11. Baneva's mother accompanied her grandson to his V-92 follow-to-join interview. We asked her very simple questions in order to verify the credibility of her daughter's statements. The discrepancies between the two stories turned out to be -- familiarly -- enormous. Baneva's mother said her daughter left her home village of Konare with the rest of the family at the age of 13 and has not lived there since. Baneva's mother was married in 1965 and together with her husband she raised their two children. Her husband died in 1999. The family is Bulgarian and all their relatives are ethnically Bulgarian and Christians. According to Baneva's mother, Baneva lived with her parents until 1992 when she got married. She was married for 6 years, and her mother categorically stated there were no arrests, detentions, or problems with the police for Baneva in Bulgaria, nor had Baneva ever been hospitalized for any reason.

¶12. Conclusion: The cases described above provide more evidence of the increasingly strong and significant trend of false asylum claims by Bulgarians in the U.S. The Bulgarians misrepresent themselves as members of the Roma community, and fabricate stories of long-standing abuse and maltreatment. They posit facts and present documents which we might quickly be able to prove false if we were notified while the asylum applications were still pending. Continued close cooperation between USCIS and Post in investigating pending cases could be expected not only to prevent granting asylum to phony claimants, but to generally slow a dangerous fraud trend and weaken the widespread impression that any Bulgarian seeking a surefire scheme for U.S. permanent residency need look no further than "the Roma con."

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